

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOHN THOMAS,

Defendant.

)
)
)
)
)
)
)
)
)
)

8:05CR133

ORDER

This matter is before the court on defendant's unopposed MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTION [11]. I will grant the motion in part. The defendant will be given an approximate 14-day extension. Pretrial Motions shall be filed by May 10, 2005.

IT IS ORDERED:

1. Defendant's MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTION [11] is granted in part. Pretrial motions shall be filed on or before **May 10, 2005**. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between April 26, 2005 and May 10, 2005**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED April 22, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**